



**CITY OF FITCHBURG MASSACHUSETTS  
CITY COUNCIL CALENDAR**

**May 3, 2016 7:00PM**

**Memorial Middle School Library  
615 Rollstone Street  
Fitchburg MA 01420**

**FITCHBURG CITY CLERK  
16 APR 28 12 45**

**WELCOME TO THE FITCHBURG CITY COUNCIL!**

This is intended to help you understand the meeting format and assist you with the rules of the Council as they pertain to your participation.

All meetings of the Fitchburg City council are open to the public. This does not mean that the public participates in all aspects of the meeting. It simply means that the meeting itself, including all discussions and votes, is open for public view.

**Executive Session**

The only time a Council meeting can be closed to the public is when the Council votes for Executive Session in order to discuss sensitive matters in private, such as pending litigation. Any votes taken however, must be taken in open session.

**OPPORTUNITIES FOR THE PUBLIC TO SPEAK DURING A COUNCIL MEETING:**

**Public Forum**

The Public Forum occurs immediately following the Pledge of Allegiance. The President will ask if anyone in the audience wishes to speak on any matter appearing on the Agenda. If you wish to address the Council, you must stand and be recognized and follow these rules before speaking:

1. State your name and address.
2. Approach the center table and either stand or sit. This allows you to be seen and heard clearly by everyone in attendance.
3. You may speak only on items appearing on the agenda for no more than (2) minutes. Copies of the agenda are available on the center table prior to the meeting.
4. Please state the petition, order, ordinance, or resolution number to which you refer.

**Public Hearings**

Public hearings are held on various issues such as Special Permits and Zoning changes. The same rules apply with the following exceptions:

1. You must stand and be recognized either "in favor" or "in opposition" when asked by the Council President.
2. You need not refer to the petition number.

If you have any questions or comments either before or after the meeting, any Councillor would be happy to assist you.

Thank you for your interest!

## I. PUBLIC FORUM

## II. COMMUNICATIONS FROM HIS HONOR THE MAYOR

Two letters of Appointment as follows:

- a. Anthony M. Zarella as a member of the Zoning Board of Appeals for a term to expire January 1, 2021.
- b. Demetrice D. Phillips as a Permanent Reserve Police Officer for the City of Fitchburg.
- c. Mary Delaney, as the Chief Procurement Officer for the City of Fitchburg.

## III. COMMUNICATION FROM DEPARTMENT HEAD

Communication from the Pension Reserves Investment Management Board.

## IV. COMMUNICATION - OTHER

Letter from Bovenzi & Donovan, Attorney for Eric W. Sullender, Trustee, RE: Special Permit Petition #65-16.

## V. SPECIAL PRESENTATION

Shannon Grant

## VI. REPORTS OF COMMITTEES

### APPOINTMENTS COMMITTEE

Oral Report of meeting to be held on May 3, 2016 at 6:45PM

#### Re-Appointment:

##### Human Rights Commission

Mr. David Roth, 303 Tibbett Circle, Fitchburg, MA 01420  
(Term to expire May 1, 2018)

#### New Appointment:

##### Board of Library Trustees

Ms. Rosa M. de Sousa, 26 West St., Fitchburg, MA 01420  
(Term to expire January 1, 2019)

### City Property Committee Oral Report

#### Meeting of April 26, 2016

070-16. Mary Jo Bohart, Economic Development Director, to declare as excess the following properties and refer them to the Chief Procurement Officer for advertising and sale:  
617 Water Street and "0" Lancaster Street  
50 Laurel Street

Finance Committee  
Meeting of April 26, 2015

073-16. LOAN ORDER: that the sum of Nine Hundred Thousand Dollars (\$900,000) be and hereby is appropriated to pay the cost of parking garage repairs, including the payment of costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$900,000 under G.L. c.44, s 7(3A) or any other enabling legislation; that the Mayor is authorized take any other action necessary or convenient to carry out this project; and that the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.  
(Be Adopted)

074-16. ORDER: Transfer \$37,000 to TREASURER-TAX TITLE FORECLOSURE from accounts as follows: \$10,000 from TREASURER PERSONAL SERVICES, and \$27,000 from TREASURER DEBT SERVICE.  
(Be Adopted)

075-16. ORDER: Transfer \$39,000 from DPW-MUNICIPAL GARAGE EXPENSES to accounts as follows:  
\$25,000 to DPW-STREETLIGHTS  
\$10,000 to DPW HIGHWAY GENERAL PERSONAL SERVICES OVERTIME  
\$ 4,000 to DPW-SNOW AND ICE EXPENSES  
(Be Adopted)

076-16. ORDER: Appopr. \$60,000, same to be credited to FIRE PERSONAL SERVICES OVERTIME and charged against AVAILABLE FUNDS.  
(Be Adopted)

Public Safety Committee Oral Report  
Meeting of May 3, 2016

152-15. AKS Recycling, Inc., to petition for a Class III Dealer's License to operate a vehicle recycling & Salvage yard at 15 Cobbler Drive & 41 Blueberry Lane

039-16. Class II Car Dealer petition of Carlos Bismark Terrero dba Millennium Motors, 34 Bemis Road.

- 180-15. Councillor Michael Kushmerek, to install a traffic mirror on Pearl Street, opposite its intersection with Longwood Avenue.
- 080-16. Class II Car Dealer License: Jeffrey Knowlton, 200 River Street.

Communication from then City Solicitor John Barrett dated August 14, 2014 requesting information from the police department pertaining to a "No Parking" area on Lincoln Street.

Communication from then City Solicitor John Barrett dated August 14, 2014 (last paragraph only) requesting FPD authorization of a "go Slow-Children" sign as requested in petition 145-14.

Public Works Committee  
Meeting of April 26, 2016

- 207-15. Kenneth J. Matson, President, to accept Downy Circle, located within the Parker Hill Subdivision, as a public way. Attorney George E. Watts will represent this matter.  
(Be Held)
- 048-16. Councillor Angelo Bisol, to review a water issue in front of 88 Charlton Street, Fitchburg.  
(Be Granted)
- 49-16. Councillor Paul Beauchemin and John Jeffrey, to request a tree be cut down for safety purposes. The tree is located on Norfolk Street, a paper road, as outlined in the enclosed petition.  
(Be given leave to withdraw)
- 181-15. Councillor Michael Kushmerek, to increase the height of a city-owned fence on Blossom Street between the intersections of Elm and Mechanic Streets.  
(Be Held)
- 242-15. Councillor Paul Beauchemin, to put a gate at the end of Shattuck St. because of illegal activities and dumping near the Quarries. Many people on the street are complaining.  
(Be Granted)
- 081-16. Councillor Marcus DiNatale and Jim Viola, to repair/replace berms located on both sides of resident's driveway. Berms were significantly damaged during the winter plowing. Location is 635 Mount Elam Road.  
(Be Granted)

## VII. HEARINGS

- 065-16. SPECIAL PERMIT PETITION: Eric W. Sullender, Trustee of Neighborhood Development Trust, to renovate existing, non-conforming single family home located at 1089 Franklin Road, Fitchburg, that has been abandoned or not used for a period of more than two years.

## VIII. ORDINANCE

- 046-16. Establishing a West Fitchburg Corridor Overlay District as outlined in the enclosed Ordinance.  
(Final Reading)
- 082-16. Amend City Code Chapter Fourteen (14), Article I: Sale of City-owned Real Estate, section 14-2 Procedure by adding Paragraph H as follows:

"Nothing herein shall prevent the duly appointed custodian of tax possessions from applying any procedure set forth in Massachusetts General Law including but not limited to M.G.L. c. 60 §77B for selling or leasing property."

(Reference Petition #69-16)

(First Reading)

## IX. PETITIONS

- 083-16. Lenny Laakso, DPW Commissioner, to declare items listed as surplus property.  
(City Property Committee)
- 084-16. Class II Car Dealer License: Sam Gandor, 339 River Street.  
(Public Safety Committee)
- 085-16. Councillor Dean Tran, to provide proper caution signage at the corner and intersection of Rollstone Rd. and Brittany Lane.  
(Public Safety Committee)
- 086-16. Councillor Joel Kaddy, to install a chain link fence on Temple Street directly behind 60-62 Sanborn St.  
(Public Works Committee)